

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: Thomas Waring and Lee Anne Waring
Debtors

Chapter 13
Bankruptcy No. 21-10374-pmm

Nationstar Mortgage LLC d/b/a Mr. Cooper, or
its Successor or Assignee
Movant

vs.

SCOTT F. WATERMAN, Trustee
Thomas Waring and Lee Anne Waring
Respondents

SETTLEMENT STIPULATION

WHEREAS, on February 16, 2021, Thomas Waring and Lee Anne Waring (the "Debtors") filed a Petition under Chapter 13 of the Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Pennsylvania;

WHEREAS, on May 6, 2022, Nationstar Mortgage LLC d/b/a Mr. Cooper (Movant) filed a Motion for Relief from the Automatic Stay pursuant to 11 U.S.C. Section 362(a) (the "Motion") regarding property located at: 1635 Alpine Dr, Pen Argyl, Pennsylvania 18072;

WHEREAS, Movant and the Debtors are desirous of settling the dispute among and between themselves;

NOW THEREFORE, each in consideration of the promises of the other and intending to be legally bound, subject to the approval of the Bankruptcy Court, it is hereby agreed by and among counsel for Movant, by and through its attorneys, MARGARET GAIRO, ESQUIRE, MARISA M. COHEN, ESQUIRE, and ANDREW M. LUBIN, ESQUIRE, and the Debtors, by and through their counsel, PAUL H. YOUNG, Esquire ("Debtors' Counsel") as follows:

1. The parties hereby certify that the post-petition delinquency is \$1,038.00, consisting of attorney fees and costs totaling \$1,038.00. Debtors' monthly mortgage payment is \$1,229.02.
2. Debtor is credited with funds in suspense in the amount of \$0.88.

3. Within thirty (30) days of the date of this Stipulation, the Debtor shall file an Amended Chapter 13 Plan to provide cure for the balance of the post-petition delinquency in the amount of \$1,038.00 as referenced in Paragraph 1 of this Stipulation.

4. Movant shall amend its Proof of Claim to include the balance of the post-petition delinquency in the amount of \$1,038.00 as referenced in Paragraph 1 of this Stipulation.

5. Debtor shall resume making regular monthly mortgage payments in the amount of \$1,229.02 beginning on July 1, 2022.

6. All payments are to be made payable to Nationstar Mortgage LLC d/b/a Mr. Cooper at the following address: P.O. Box 619094, Dallas, TX 75261-9741.

7. The last four digits of your loan number 9023. Please remember to write your entire account number on the lower left-hand corner of your payment to ensure proper processing.

8. Should Debtors fail to comply with any of the terms of this Stipulation, including but not limited to, failure to file an Amended Chapter 13 Plan providing for cure of the post-petition delinquency, failure to make the above described payments, or any regular monthly mortgage payment commencing after the cure of the post-petition delinquency, then Movant may send Debtors and counsel a written notice of default of this Stipulation. If the default is not cured within ten (10) days of the date of the notice, counsel for Movant may file a Certification of Default with the Court. Said Certification of Default may include a certification of Debtors' failure to pay subsequent payments that fall due after the date of the notice of default. Upon Certification, the Court shall enter an Order granting relief from the automatic stay as to the mortgaged property.

9. In the event the Debtors convert their case to Chapter 11, the terms of this Stipulation shall remain in full force and effect. In the event that Debtors convert their case to a Chapter 7, Debtors shall cure all pre-petition and post-petition arrears within ten (10) days of the

date of conversion. Failure to cure the arrears shall constitute an event of default under this Stipulation and Movant may send Notice of Default and certify default as set forth in the preceding paragraph.

10. Attorney fees and costs for issuing Notice to Cure, Notice / Certificate / Affidavit of Default, and order for relief are recoverable and may be added to the arrearage.

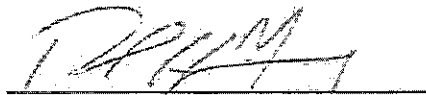
11. Counsel for Debtor has authority to settle this matter on behalf of his/her clients.



Margaret Gairo, Esquire
Marisa M. Cohen, Esquire
Andrew M. Lubin, Esquire
McCabe, Weisberg & Conway, LLC
123 S. Broad Street
Suite 1400
Philadelphia, PA 19109
Attorney for Movant

7/19/22

Date



PAUL H. YOUNG
Young, Mair & Associates
3554 Hulmeville Rd., Suite 102
Bensalem, Pennsylvania 19020
Attorney for Debtors

7/19/22

Date

Roberto Amos for

Scott F. Waterman
2901 St. Lawrence Ave., Suite 100
Reading, PA 19606
Trustee

7/28

Date